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AMERICAN TECHNOLOGY CORP
FAX NO.

008

P. 08

PATENT APPLICATION NO
ATTORNEY DOCKET NO. T3376.CIP2 PCT.US**DECLARATION AND PETITION**

As a below named inventor, I hereby declare: that my residence, post office address, and citizenship are as stated below next to my name; that I verily believe I am the original, first, and sole inventor (if only one name is listed below), or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled Parametric Ring Emitter, the specification of which is attached hereto, or which was filed on _____ as THORPE NORTH & WESTERN L.L.P. Docket No. _____ and given United States Application No. _____ and was amended on (if applicable); that the subject matter of the attached amendment or amendment filed on was part of my or our invention and was invented before the filing date of the original application, above identified for such invention; that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment specifically referred to above; and that I acknowledge the duty to disclose information which is material to patentability as defined in § 1.56(a) of Title 37 of the Code of Federal Regulations.

I hereby claim the benefit of the earlier filed patent application filed as PCT International Application No. PCT/US03/08311 which claims priority to US Application No. 10/101,426 filed on 18 March 2002; and insofar as the subject matter of each of the claims of these applications is not disclosed in the earlier filed pending applications in the manner provided by the first paragraph of Section 112 of Title 35 of the United States code, I acknowledge the duty to disclose material information, as defined in Section 1.56(a) of Title 37 of the Code of Federal Regulations, which occurred between the filing date of the earlier filed applications and the filing date of this application.

I declare further that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful, false statements and the like so made are

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punishable by fine or imprisonment, or both, under § 1001 of Title 18 of the United States Code,
and that such willful, false statements may jeopardize the validity of the application or any patent
issuing thereon.

Wherefore, I pray that Letters Patent be granted to me for the invention or discovery
described and claimed in the foregoing specification and claims, declaration, and this petition.

Signed at San Diego, CA, this 16 day of September, 2004.

INVENTOR(S):

Elwood G. Norris 
Elwood G. Norris
Poway, California
US
16101 Blue Crystal Trail
Poway, California 92064

Residence: (City, State):
Citizenship:
Post Office Address:

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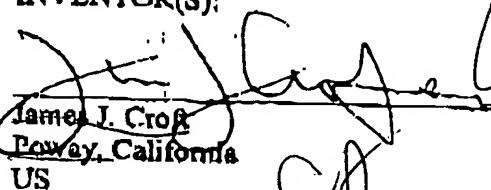
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Signed at San Diego, CA, this 16 day of September, 2004.

INVENTOR(S):

Residence: (City, State):
Citizenship:
Post Office Address:


James J. Clegg
Poway, California
US
13633 Quiet Hills Drive
Poway, California 92064

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Rec'd PCT/PTO 17 SEP 2004

Attorney Docket No. T1276.CIP2 PCT.US

POWER OF ATTORNEY

American Technology Corporation, a corporation, organized and existing under the laws of the State of Delaware, having a business address of 13114 Evening Creek Drive South, owner of all right, title and interest in the invention entitled PARAMETRIC RING EMITTER for which an application for United States Letters Patent which is being filed concurrently herewith OR which was filed on _____ as THORPE NORTH & WESTERN, LLP Docket No. _____

_____, and given U.S. Patent Application Serial No. _____, and empowered to prosecute the U.S. and foreign applications on behalf of the inventors, hereby appoint as its attorneys and/or patent agents the law firm of THORPE NORTH & WESTERN, LLP, having a business address of 8180 South 700 East, Suite 200, Sandy, Utah 84070, and VAUGHN W. NORTH, Registration No. 27,930; M. WAYNE WESTERN, Registration No. 22,788; CLIFTON W. THOMPSON, Registration No. 36,947; GARRON M. HOBSON, Registration No. 41,073; PETER M. DE JONGE, Registration No. 47,521; WEILI CHENG, Registration No. 44,609; DAVID R. MCKINNEY, Registration No. 42,868; STEVE M. PERRY, Registration No. 45,357; GARY P. OAKESON, Registration No. 44,266; DAVID W. OSBORNE, Registration No. 44,989; JASON R. JONES, Registration No. 51,008; ERIK S. ERICKSEN, Registration No. 48,954; JOHN W.L. OGILVIE, Registration No. 37,987; CHRISTOPHER L. JOHNSON, Registration No. 46,809; NATHAN S. WINESSETT, Registration No. 55,733; and TODD B. ALDER, Registration No. 54,598; all with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith.

All correspondence concerning this application should be directed to:

Vaughn W. North
THORPE NORTH & WESTERN, LLP
Customer No. 20,551
P.O. Box 1219
Sandy, Utah 84091-1219
Telephone: (801) 566-6633
Facsimile: (801) 566-0750

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Power of Attorney
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Dated this 16 day of September, 2004 at San Diego, CA (City, State).

American Technology Corporation

By: Elwood G. Morris
Name: Elwood Morris
Title: Chairman, ATC

Rec'd CT/PTO 17 SEP 2004

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PTO-1595
Rev. 6-93
1. 0651-0011 (exp. 4/94)RECORDATION FORM COVER SHEET
PATENTS ONLYU.S. DEPARTMENT OF COMMERCE
Patent and Trademark Office

To the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof.

Name of conveying party(ies):
John G. Norris, James J. Croft III and Vaughn W. North

2. Name and address of receiving party(ies)

Name: American Technology Corporation

Internal Address: _____

Name(s) of conveying parties attached? Yes No

Nature of conveyance:

Assignment MergerSecurity Agreement Change of Name

Other _____

Action Date: April 15, 2002Street Address: 13114 Evening Creek Drive SouthSan Diego, California 92128Additional Name(s) & address(es) attached? Yes No

Application number(s) or patent number(s): _____

If this document is being filed together with a new application, the execution date of the application is: _____

Patent Application No(s). _____

B. Patent No(s). _____

Additional numbers attached? Yes No

Name and address of party to whom correspondence concerning this document should be mailed:

6. Total number of applications and patents involved: 1

Name: Vaughn W. North

7. Total fee (27 CFR 3.41) \$40.00

Mailing Address: Thorpe, North & Western, LLP EnclosedP.O. Box 1219 Authorized to be charged to deposit accountSandy, UT 84091-1219

8. Deposit account number:

Email Address: 8180 South 700 East20-0100 (Deficiencies Only)

(Attach duplicate copy of this page if paying by deposit account)

Sandy State: Utah Zip: 84070

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Statement and signature.

I, to the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of this document.



Signature

4/17/04

Date

Vaughn W. North

Name of Person Signing

Number of pages including this cover sheet, attachments, and document: 5

Mail documents to be recorded with required cover sheet information to:

Commissioner of Patents and Trademarks
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Washington, DC 20231

WHEN RECORDED RETURN TO:

ATTORNEY DOCKET NO. TS276.CIP2.PCT.US

VAUGHN W. NORTH
THORPE, NORTH & WESTERN, L.L.P.
P.O. BOX 1219
SANDY, UTAH 84091-1219

ASSIGNMENT

WHEREAS, we, Elwood G. Norris (resident of the state of California, whose postal mailing address is 16101 Blue Crystal Trail, Poway, California 92064), James J. Croft III (resident of the state of California, whose postal mailing address is 13633 Quiet Hills Drive, Poway, California 92064), and Vaughn W. North (resident of the state of Utah, whose postal mailing address is 8180 South 700 East, Suite 200, Sandy, Utah 84070-0562) (hereinafter "Assignors") have invented a certain new and useful improvement in a PARAMETRIC RING EMITTER for which a US application for United States Letters Patent was filed on September, 2004, and given U.S. Patent Application Serial No. _____; and

WHEREAS, American Technology Corporation, a corporation organized and existing under the laws of the State of Delaware, having a business address of 13114 Evening Creek Drive South, San Diego, California 92128 (hereinafter "Assignee"), is desirous of acquiring the entire right, title, and interest in the same;

NOW, THEREFORE, in consideration of one dollar (\$1.00) and other good and valuable consideration paid to me by the Assignee, the receipt and sufficiency whereof is hereby acknowledged, I the said Assignor, hereby grant and assign unto the said Assignee, my entire right, title and interest in said invention and in all patent applications based thereon, including but not limited to the above identified United States Patent Application and in all divisions, continuations, and continuations-in-part of said application, or reissues or extensions of Letters Patent or Patents granted thereon, and in all corresponding applications filed in countries foreign to the United States, and in all patents issuing thereon in the United States and foreign countries; the right, power and authority to file and prosecute U.S. and foreign patent applications on said invention, and to do so in its own name wherever such right may be legally exercised, and

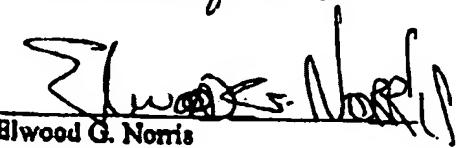
including the right to claim the priority and benefits of the International Convention for such applications; and the right to bring actions for infringement of any right in said invention in its own name, including past infringement, in any jurisdiction.

I hereby authorize and request the United States Commissioner of Patents and Trademarks, and such Patent Office officials in foreign countries as are duly authorized by their patent laws to issue patents, to issue any and all Letters Patent on said invention to the said Assignee as the owner of my entire interest, for the sole use and benefit of the said Assignee, its successors, assigns and legal representatives, to the full end of the term for which said Letters Patent may be granted, as fully and entirely as the same would have been held by me had this assignment and sale not been made.

I hereby agree, without further consideration and without expense to me, to sign all lawful papers and to perform all other lawful acts which the Assignee may request of me to make this Assignment fully effective, including, by way of example but not of limitation, the following: prompt execution of all original, divisional, substitution, reissue, and other United States and foreign patent applications on said invention, and all lawful documents as requested by the Assignee to further the prosecution of any of such patent applications; cooperation to the best of my ability including, but not limited to, the execution of all lawful documents, the production of evidence in any actions or proceedings concerning the invention, including, but not limited to, nullification, reissuing, extension, and infringement proceedings involving said invention.

This assignment and agreement shall be binding upon my heirs and legal representatives.

Executed this 16 day of September, 2004 at San Diego, CA.


Elwood G. Nomis